

**COMMONWEALTH OF VIRGINIA
STATE IMPLEMENTATION PLAN REVISION
FOR**

**CERTIFICATION OF § 110(a)(2)(D)(i) REQUIREMENTS
FOR THE 8-HOUR OZONE AND PM_{2.5}
NATIONAL AMBIENT AIR QUALITY STANDARDS**

This document is being submitted as a revision to the State Implementation Plan (SIP) for the Commonwealth of Virginia to certify that it is meeting the requirements of the federal Clean Air Act related to interstate pollution transport for the 1997 8-hour ozone and PM_{2.5} National Ambient Air Quality Standards (NAAQS). As discussed below, this SIP submission is consistent with the August 15, 2006 William T. Harnett memorandum, "Guidance for State Implementation Plan (SIP) Submissions to Meet Current Outstanding Obligations Under Section 110(a)(2)(D)(i) for the 8-Hour Ozone and PM_{2.5} NAAQS."

Section 110(a)(1) of the federal Clean Air Act provides that states must adopt and submit SIPs to the EPA within 3 years after the promulgation of a new or revised NAAQS, meeting the provisions of §110(a)(2). Therefore, SIP submissions addressing the requirements related to §110(a)(2) for the 8-hour ozone and the PM_{2.5} NAAQS were due no later than July 2000. Due to litigation of both the 8-hour ozone and the PM_{2.5} NAAQS, the Commonwealth did not submit a SIP submission to satisfy the §110(a)(2) requirements by July 2000. EPA published a finding of failure to submit in the Federal Register on April 25, 2005 (70 FR 21147), with an effective date of May 25, 2005. The Federal Register notice started a 2-year clock that ended on May 25, 2007, for EPA to issue a Federal Implementation Plan (FIP) to address the interstate pollution transport requirements called for under § 110(a)(2)(D)(i) if states fail to submit the required SIP submittal. Note that the Clean Air Interstate Rule (CAIR) FIP was promulgated in part to meet this requirement. On August 15, 2006, a memorandum was issued by William T. Harnett, "Guidance for State Implementation Plan (SIP) Submissions to Meet Current Outstanding Obligations Under Section 110(a)(2)(D)(i) for the 8-Hour Ozone and PM 2.5 NAAQS," in order to provide guidance to states for meeting the § 110(a)(2)(D)(i) requirements.

Section 110(a)(2)(D)(i) of the federal Clean Air Act requires each state to submit a SIP that contains adequate provisions:

- (i) prohibiting . . . any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will -
 - (I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary air quality standard, or
 - (II) interfere with measures required to be included in the applicable implementation plan for any other State under Part C to prevent significant deterioration of air quality or to protect visibility.

These specific requirements, and how the Commonwealth has met these requirements, is discussed in detail below.

Interstate Transport

Virginia is covered by CAIR for annual and seasonal ozone, and for sulfur dioxide. The Harnett memorandum advises that states covered by CAIR can comply with §110(a)(2)(D)(i) obligations relating to “significant contribution” and “interference with maintenance” requirements by complying with the CAIR requirements. The memorandum advises that states within the CAIR region need not submit a separate SIP revision to satisfy the § 110(a)(2)(D)(i) requirements provided that they submit a SIP revision to satisfy CAIR. Virginia submitted a CAIR SIP to EPA on March 30, 2007 and is therefore not required, as spelled out in the Harnett memorandum, to make this particular SIP submittal.

New Source Review

With respect to nonattainment and prevention of significant deterioration (PSD) new source review (NSR), the Harnett memorandum advises that a state may fulfill its §110(a)(2)(D)(i) requirements by confirming that (i) major stationary sources for 8-hour ozone and PM_{2.5} are currently subject to nonattainment and PSD NSR permitting programs, and that it is on track to meet the SIP requirements to address the Phase II ozone implementation rule requirements; and (ii) major sources are subject to nonattainment and PSD NSR permitting programs implemented in accordance with EPA’s interim guidance calling for use of PM₁₀ as a surrogate for PM_{2.5} related to the nonattainment and PSD NSR program requirements.

Virginia confirms that (i) major stationary sources for 8-hour ozone and PM_{2.5} are currently subject to nonattainment and PSD NSR permitting programs, and that it will submit SIPs to address the Phase II ozone implementation rule requirements; and (ii) major sources are subject to nonattainment and PSD NSR permitting programs implemented in accordance with EPA’s interim guidance calling for use of PM₁₀ as a surrogate for PM_{2.5} related to the nonattainment and PSD NSR program requirements.

Visibility

The Harnett memorandum advises that the §110(a)(2)(D)(i) requirement related to protection of visibility is deferred until such time as the state submits its regional haze SIP. Virginia’s regional haze SIP will assess whether there is interference with measures required to be included in the applicable implementation plan for any other state to protect visibility.

Conclusion

The Commonwealth of Virginia confirms that it meets requirements of §110(a)(2)(D)(i) of the federal Clean Air Act for the 8-hour ozone and PM_{2.5} NAAQS, and does not significantly contribute to nonattainment or interference with maintenance of the NAAQS in another state.